



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Cindie M. Luhman

Appln. No.: 09/239,873

Filed : January 29, 1999

For : METHOD AND COMPOSITION FOR
ENHANCING MILK COMPONENT
CONCENTRATIONS

Docket No.: L111.12-0040

Group Art Unit: 1616

Examiner:

N.S. Levy

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR § 1.321(b))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS,
TO THE COMMISSIONER FOR PATENTS,
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450,
THIS

13th DAY OF August,
2004.
J. Peter Sawicki
PATENT ATTORNEY

Sir:

Interest of Person Making This Disclaimer

I, Z. Peter Sawicki, represent that I am

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign on behalf of the assignee of this invention.
- ☒ an attorney of record for this application.

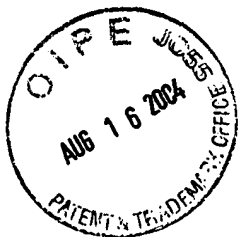
Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is Land O'Lakes, Inc., 4001 Lexington Avenue N., Arden Hills, Minnesota 55126. The title of the Disclaimant is Attorney, and the Disclaimant is authorized to sign on behalf of Assignee.

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Extent of Interest

The extent of my interest is in

- ☒ the whole of this invention.
☐ a sectional interest in this invention as follows: .

Disclaimer

I hereby disclaim the term of any patent granted on the above-identified application subsequent to

- ☒ the full term of United States Patent No. 6,440,447 as presently shortened by any terminal disclaimer,

or

- ☐ the term of any patent granted on application number ___,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

- ☒ United States Patent No. 6,440,447, and

- ☐ any patent granted on application number ___,

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

I do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

- ☒ United States Patent No. 6,440,447, as presently shortened by any terminal disclaimer, and

- ☐ any patent granted on application number ___,

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.



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Land O'Lakes, Inc.

By: _____ Date: _____

Z. Peter Sawicki
Attorney

Fee Status

(37 CFR § 1.20(d))

- ☒ other than a small entity \$110.00
☐ small entity status of this application under 37 CFR §§ 1.9 and 1.27
is established by a verified statement . \$ 55.00


Fee Payment

- ☒ Attached is a check in the sum of \$110.00.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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ZPS:cnn